

any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this chapter, or any reproduction or copy, except to Congress and any committee thereof, governmental agencies, and in the presentation of any case or proceeding before any court or grand jury.

(Pub. L. 86-449, title III, §304, May 6, 1960, 74 Stat. 88.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1974c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20705. Jurisdiction to compel production of records or papers

The United States district court for the district in which a demand is made pursuant to section 20703 of this title, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

(Pub. L. 86-449, title III, §305, May 6, 1960, 74 Stat. 88.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1974d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20706. “Officer of election” defined

As used in this chapter, the term “officer of election” means any person who, under color of any Federal, State, Commonwealth, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general, special, or primary election at which votes are cast for candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico.

(Pub. L. 86-449, title III, §306, May 6, 1960, 74 Stat. 88.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1974e of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

CHAPTER 209—ELECTION ADMINISTRATION IMPROVEMENT

SUBCHAPTER I—PAYMENTS TO STATES FOR ELECTION ADMINISTRATION IMPROVEMENTS AND REPLACEMENT OF PUNCH CARD AND LEVER VOTING MACHINES

- Sec. 20901. Payments to States for activities to improve administration of elections.
- 20902. Replacement of punch card or lever voting machines.

- Sec. 20903. Guaranteed minimum payment amount.
- 20904. Authorization of appropriations.
- 20905. Administration of programs.
- 20906. Effective date.

SUBCHAPTER II—COMMISSION

PART A—ESTABLISHMENT AND GENERAL ORGANIZATION

SUBPART 1—ELECTION ASSISTANCE COMMISSION

- 20921. Establishment.
- 20922. Duties.
- 20923. Membership and appointment.
- 20924. Staff.
- 20925. Powers.
- 20926. Dissemination of information.
- 20927. Annual report.
- 20928. Requiring majority approval for actions.
- 20929. Limitation on rulemaking authority.
- 20930. Authorization of appropriations.

SUBPART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS

- 20941. Establishment.
- 20942. Duties.
- 20943. Membership of Standards Board.
- 20944. Membership of Board of Advisors.
- 20945. Powers of Boards; no compensation for service.
- 20946. Status of Boards and members for purposes of claims against Board.

SUBPART 3—TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE

- 20961. Technical Guidelines Development Committee.
- 20962. Process for adoption.

PART B—TESTING, CERTIFICATION, DECERTIFICATION, AND RECERTIFICATION OF VOTING SYSTEM HARDWARE AND SOFTWARE

- 20971. Certification and testing of voting systems.

PART C—STUDIES AND OTHER ACTIVITIES TO PROMOTE EFFECTIVE ADMINISTRATION OF FEDERAL ELECTIONS

- 20981. Periodic studies of election administration issues.
- 20982. Study, report, and recommendations on best practices for facilitating military and overseas voting.
- 20983. Report on human factor research.
- 20984. Study and report on voters who register by mail and use of Social Security information.
- 20985. Study and report on electronic voting and the electoral process.
- 20986. Study and report on free absentee ballot postage.
- 20987. Consultation with Standards Board and Board of Advisors.

PART D—ELECTION ASSISTANCE

SUBPART 1—REQUIREMENTS PAYMENTS

- 21001. Requirements payments.
- 21002. Allocation of funds.
- 21003. Condition for receipt of funds.
- 21004. State plan.
- 21005. Process for development and filing of plan; publication by Commission.
- 21006. Requirement for public notice and comment.
- 21007. Authorization of appropriations.
- 21008. Reports.

SUBPART 2—PAYMENTS TO STATES AND UNITS OF LOCAL GOVERNMENT TO ASSURE ACCESS FOR INDIVIDUALS WITH DISABILITIES

- 21021. Payments to States and units of local government to assure access for individuals with disabilities.

- Sec.
21022. Amount of payment.
21023. Requirements for eligibility.
21024. Authorization of appropriations.
21025. Reports.
- SUBPART 3—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS
21041. Grants for research on voting technology improvements.
21042. Report.
21043. Authorization of appropriations.
- SUBPART 4—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY
21051. Pilot program.
21052. Report.
21053. Authorization of appropriations.
- SUBPART 5—PROTECTION AND ADVOCACY SYSTEMS
21061. Payments for protection and advocacy systems.
21062. Authorization of appropriations.
- SUBPART 6—NATIONAL STUDENT AND PARENT MOCK ELECTION
21071. National Student and Parent Mock Election.
21072. Authorization of appropriations.
- SUBCHAPTER III—UNIFORM AND NONDISCRIMINATORY ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS
- PART A—REQUIREMENTS
21081. Voting systems standards.
21082. Provisional voting and voting information requirements.
21083. Computerized statewide voter registration list requirements and requirements for voters who register by mail.
21084. Minimum requirements.
21085. Methods of implementation left to discretion of State.
- PART B—VOLUNTARY GUIDANCE
21101. Adoption of voluntary guidance by Commission.
21102. Process for adoption.
- SUBCHAPTER IV—ENFORCEMENT
21111. Actions by the Attorney General for declaratory and injunctive relief.
21112. Establishment of State-based administrative complaint procedures to remedy grievances.
- SUBCHAPTER V—HELP AMERICA VOTE COLLEGE PROGRAM
21121. Establishment of program.
21122. Activities under Program.
21123. Authorization of appropriations.
- SUBCHAPTER VI—TRANSFER TO COMMISSION OF FUNCTIONS UNDER CERTAIN LAWS
21131. Transfer of functions of Office of Election Administration of Federal Election Commission.
21132. Transfer of functions.
21133. Transfer of property, records, and personnel.
21134. Effective date; transition.
- SUBCHAPTER VII—MISCELLANEOUS PROVISIONS
21141. "State" defined.
21142. Audits and repayment of funds.
21143. Review and report on adequacy of existing electoral fraud statutes and penalties.
21144. Other criminal penalties.
21145. No effect on other laws.

SUBCHAPTER I—PAYMENTS TO STATES FOR ELECTION ADMINISTRATION IMPROVEMENTS AND REPLACEMENT OF PUNCH CARD AND LEVER VOTING MACHINES

§ 20901. Payments to States for activities to improve administration of elections

(a) In general

Not later than 45 days after October 29, 2002, the Administrator of General Services (in this subchapter referred to as the "Administrator") shall establish a program under which the Administrator shall make a payment to each State in which the chief executive officer of the State, or designee, in consultation and coordination with the chief State election official, notifies the Administrator not later than 6 months after October 29, 2002, that the State intends to use the payment in accordance with this section.

(b) Use of payment

(1) In general

A State shall use the funds provided under a payment made under this section to carry out one or more of the following activities:

(A) Complying with the requirements under subchapter III.

(B) Improving the administration of elections for Federal office.

(C) Educating voters concerning voting procedures, voting rights, and voting technology.

(D) Training election officials, poll workers, and election volunteers.

(E) Developing the State plan for requirements payments to be submitted under subpart 1 of part D of subchapter II.

(F) Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for casting and counting votes.

(G) Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, providing nonvisual access for individuals with visual impairments, and providing assistance to Native Americans, Alaska Native citizens, and to individuals with limited proficiency in the English language.

(H) Establishing toll-free telephone hotlines that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specific polling place locations, and other relevant information.

(2) Limitation

A State may not use the funds provided under a payment made under this section—

(A) to pay costs associated with any litigation, except to the extent that such costs otherwise constitute permitted uses of a payment under this section; or

(B) for the payment of any judgment.

(c) Use of funds to be consistent with other laws and requirements

In order to receive a payment under the program under this section, the State shall provide the Administrator with certifications that—